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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

QIAO LI and CHEN MA

Plaintiffs,

v.

GERARD HEINAUER, Director, USCIS
Nebraska Service Center;
EMILIO T. GONZALEZ, Director, USCIS
ROBERT MUELLER, III, Director,
Federal Bureau of Investigation,
MICHAEL CHERTOFF, Secretary Department
of Homeland Security;
ALBERTO GONZALES, Attorney General,
Department of Justice;

Defendants.

No. C 07-2253 PVT

ORDER GRANTING

**PARTIES' JOINT REQUEST TO BE
EXEMPT FROM FORMAL ADR
PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them. Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to plaintiffs' request that this Court compel defendants to adjudicate the application for adjustment of status. Given the substance of the action

1 and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and
2 unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request
3 the case be removed from the ADR Multi-Option Program and that they be excused from
4 participating in the ADR phone conference and any further formal ADR process.

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6 Dated: July 31, 2007

Respectfully submitted,

7 SCOTT N. SCHOOLS
8 United States Attorney

9 /s/
10 EDWARD A. OLSEN
11 Assistant United States Attorney
12 Attorneys for Defendants

13 Dated: July 31, 2007


/s/
14 KIP EVAN STEINBERG
15 Attorney for Plaintiffs

16 **ORDER**

17 Pursuant to stipulation and to ADR L. R. 3-3(c), the parties are hereby removed from the ADR
18 Multi-Option Program and are excused from participating in the ADR phone conference and any
19 further formal ADR process.

20 **SO ORDERED.**

21 Dated: August 2, 2007

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23 PATRICIA V. TRUMBULL
24 United States Magistrate Judge
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